

BOARD OF APPEAL REFERRALS

December 17, 1981

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11. Z-5489 440 Commercial Street Trust
440-448 Commercial Street, Boston

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/5/82

Z-5437

S & T Realty Trust

1085-1087 Boylston Street, Boston near Ipswich Street

Vacant Land

District(s):	apartment H-3	general business	industrial
	residential	local business	waterfront
	single family		manufacturing

Purpose: use premises for open air parking for fee - 31 cars.

Violation(s):

Section

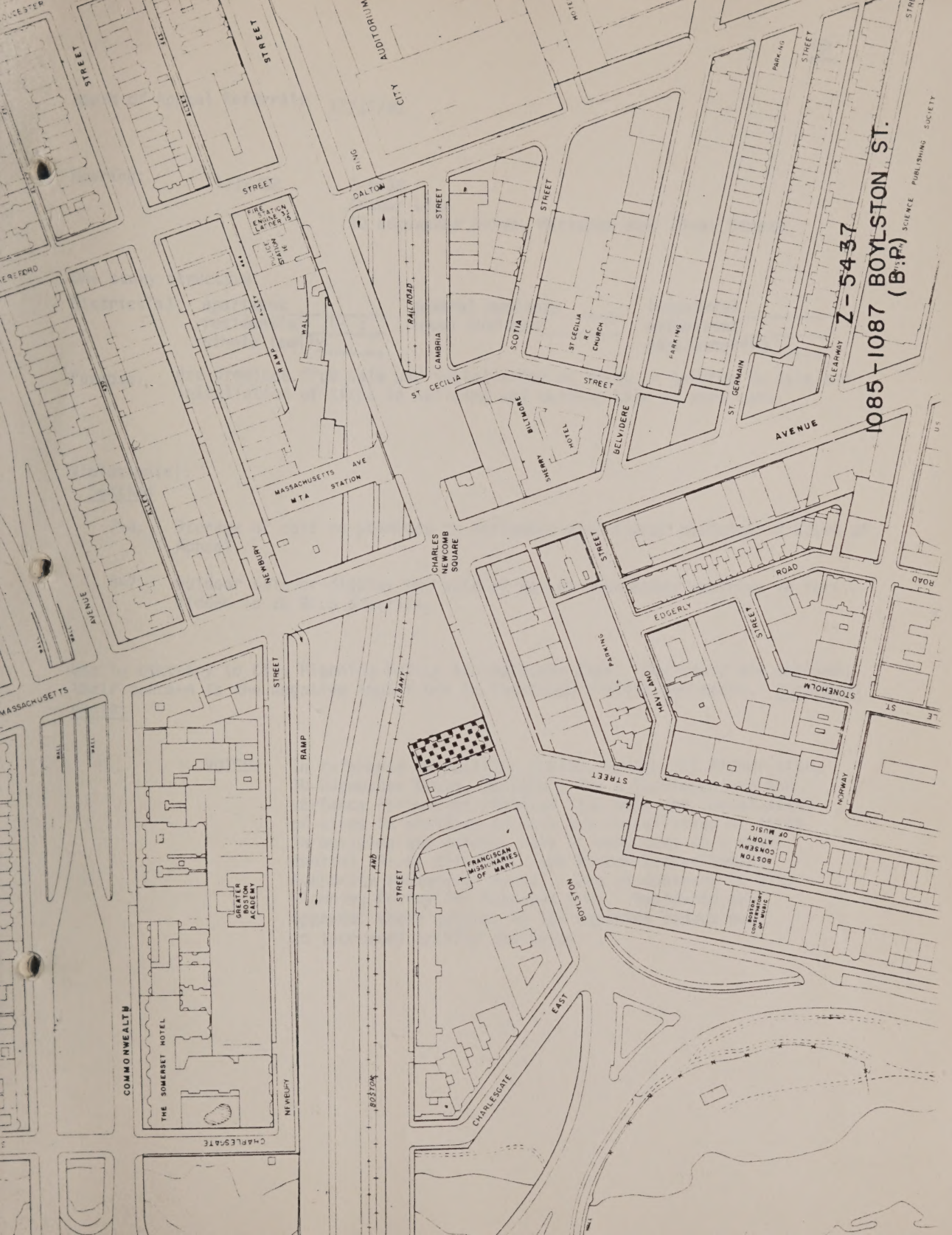
8-7. Parking lot is forbidden in an H-3 district.

18-1. Front yard is insufficient.

20-1. Rear yard is insufficient.

Lot is part of Disposition Parcel 14 Fenway Urban Renewal Plan indicating residential-commercial development. Staff has no objection to interim parking use until such time as site is developed. Recommend approval with provisos.

VOTED: In reference to petition Z-5437, brought by S & T Realty Trust, 1085-1087 Boylston Street, Boston, for a forbidden use and two variances to use premises for open air parking for fee in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with the following provisos: that parking lot use be subject to thirty day revocation notice by the Authority; that use be restricted to residents of General Area and limited to no more than 23 cars, that entrance and exit be from Ipswich Street, that plans including landscaping, lighting and paving be submitted to the Authority for design review. Lot is part of Disposition Parcel 14 Fenway Urban Renewal Plan indicating residential - commercial development.



COMMONWEALTH

THE SOMERSET HOTEL

GREATER
BOSTON
ACADEMY

CHARLES GATE

NEWBURY

RAMP

ALBANY

STREET

FRANCIS AND
MARY OF THE
IMMACULATE
CONCEPTION
CHURCH

CHARLES GATE
EAST

BOSTON

STREET

BOSTON
CONSERVATORY
OF MUSIC

STREET

PARKING

EDGERLY

ROAD

STREET

ST. GERMAIN

AVENUE

BELVIDERE

ST. CECILIA

ST. CECILIA
R.C. CHURCH

ST. CECILIA

ST. CECILIA

ST. CECILIA

ST. CECILIA

ST. CECILIA

ST. CECILIA

Z-5437

1085-1087 BOYLSTON ST.
(B.P.)

SCIENCE PUBLISHING SOCIETY

Board of Appeal Referrals 12/17/81

Hearing: 1/12/82 Z-5438
Arthur Lite
30 Edgewater Drive, Mattapan near River Street

One story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.5 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: use premises from sale and installation of tires in bulding to sale and installation of tires in building and outdoor sale of used cars.

Violation(s):

Section

- 7-4. Storage of cars on premises in variances with former decision of Board of Appeal.
- 8-7. Outdoor sale or display for sale of new or used motor vehicles in forbidden in an R-.5 district.

Use in contrary to City Planning Policy for Mattapan Area. Residents are opposed, their concern is the negative impact due to increased traffic and noise. Recommend denial.

VOTED: In reference to petition Z-5438, brought by Arthur Lite, 30 Edgewater Drive, Mattapan, for a forbidden use and variance for use of premises from sale and installation of tires in building to sale and installation of tires in building and outdoor sale of used cars in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Use is contrary to City Planning Policy for Mattapan Area. Residents are opposed; their concern is the negative impact due to increased traffic and noise.



Z-5438
30 EDGEWATER DRIVE
(MATT.)

Board of Appeal Referrals 12/17/81

Hearing: 1/5/82

Z-5441

Texaco USA

601 Commonwealth Avenue, Boston at Sherborn Street

Gas service station

District(s): apartment _____ general business B-4 _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: install canopy and fascia.

Violation(s):

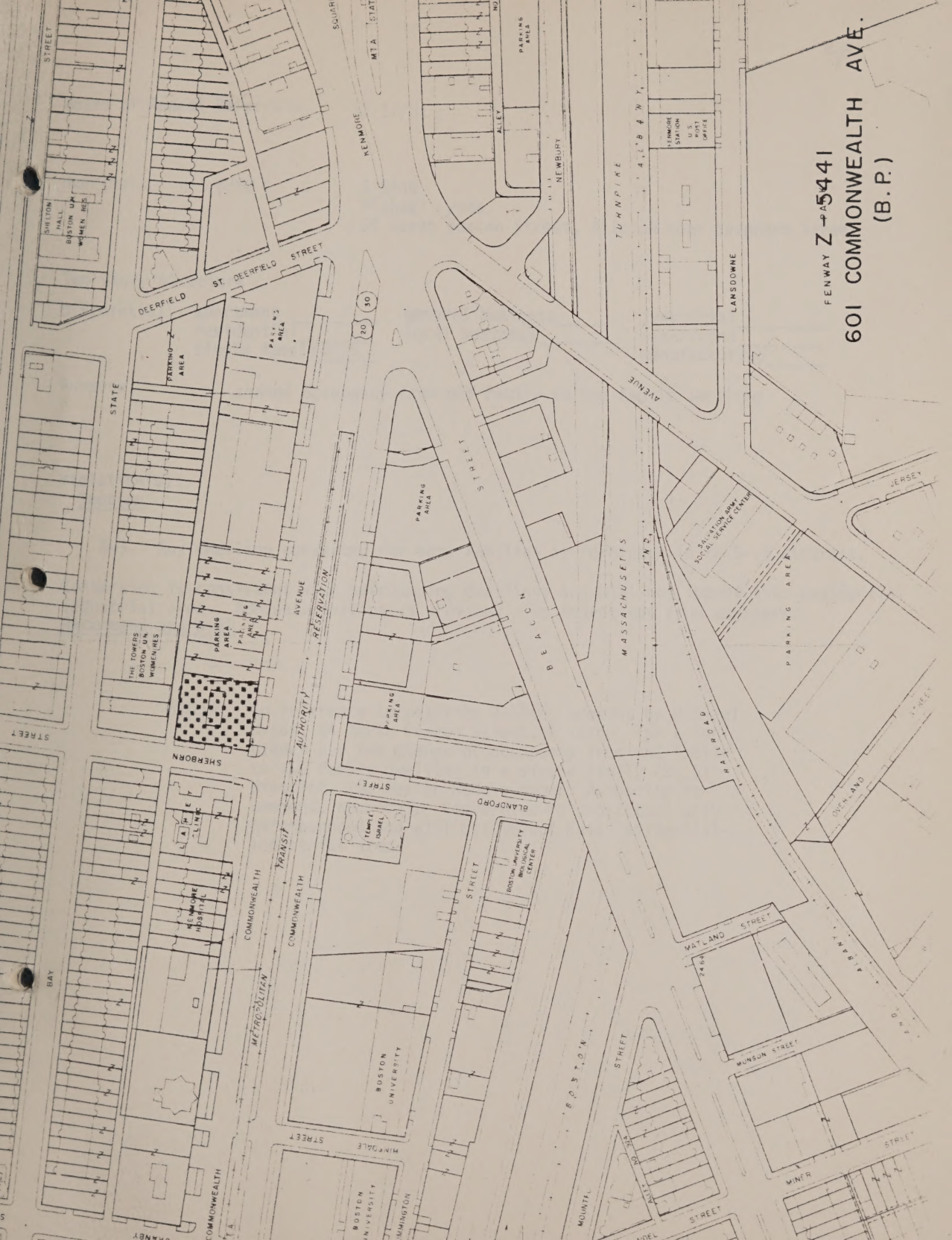
Section

8-6. Change in pre-existing conditional use.

Canopy over existing pump islands will protect customers from the elements. New fascia on front and sides and improved lighting will enhance facility. No objections from community. Recommend approval with proviso.

VOTED: In reference to petition Z-5441, brought by Texaco USA, 601 Commonwealth Avenue, Boston, for a conditional use for alterations to gas service station in an general business (B-4) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.

601 COMMONWEALTH AVE.
(B.P.)



Board of Appeal Referrals 12/17/81

Hearing: 1/5/82 Z-5446
Michael Hynds
64 North Beacon Street, Allston near Saunders Street

Two story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 manufacturing _____

Purpose: change occupancy from one family to two family dwelling.

Violation(s):
Section

8-7. Any dwelling converted for more families is forbidden in an S-.5 district.

Conversion is consistent with surrounding dwellings and will not impact this residential industrial area. Adequate parking is provided. No objectings from abutters.
Recommend approval.

VOTED: In reference to petition Z-5446, brought by Michael Hynds, 64 North Beacon Street, Allston, for a forbidden use for change of occupancy from one family to two family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Conversion is consistent with neighborhood and will not impact this residential-industrial area.



2-5446
64 NORTH BEACON ST.
(BRI.)

Board of Appeal Referrals

12/17/81

Hearing: 1/12/82

Z-5452

John J. Warren

4 President Road, Roslindale near Weld Street

1½ story dwelling

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 manufacturing _____

Purpose: erect a two story addition to a one family dwelling.

Violation(s):

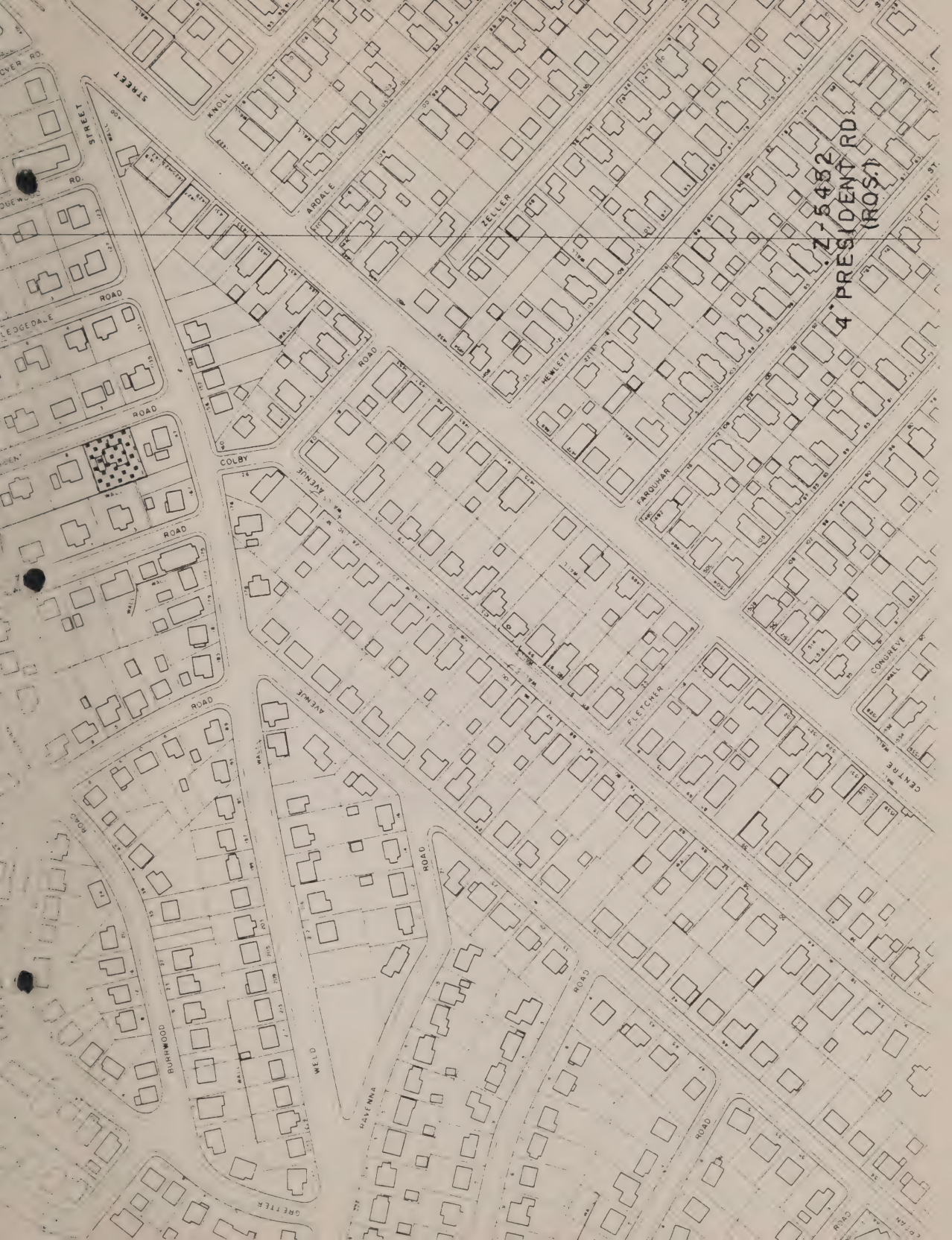
Section

18-4. Front yard is insufficient.

20-1. Rear yard is insufficient.

Proposed family room and bedroom addition will not adversely affect the residential neighborhood. No objections. Recommend approval.

VOTED: In reference to petition Z-5452, brought by John J. Warren, 4 President Road, Roslindale, for two variances to erect a two story addition to a one family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Proposed family room and bedroom addition will not adversely affect the residential neighborhood.



Z 5482
4 PRESIDENT RD
(ROS.)

Board of Appeal Referrals 12/17/81

Hearing: 1/5/82 Z-5456
Rede Inc.
1161 Hyde Park Avenue, Hyde Park near Webster Street.

2½ story dwelling

District(s): apartment _____ general business _____ industrial _____
residential R-.5 _____ local business _____ waterfront _____
single family _____ manufacturing _____

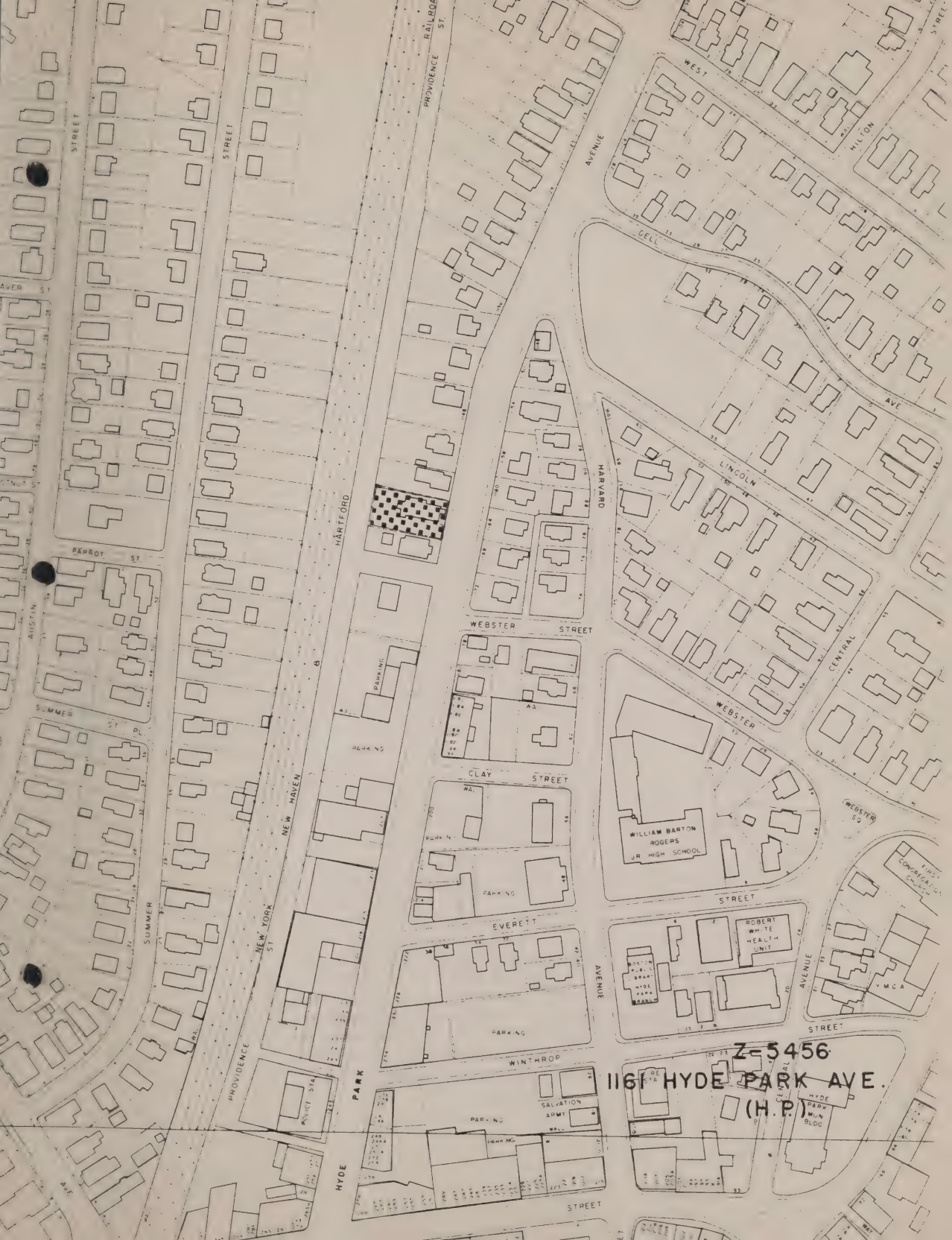
Purpose: erect one story addition to funeral home-one family dwelling.

Violation(s):
Section

9-1. Extension of a nonconforming use.

Proposal will extend existing porch twelve feet and provide ramp for handicapped persons. Abutters indicate support. Recommend approval.

VOTED: In reference to petition Z-5456, brought by Rede Inc., 1161 Hyde Park Avenue, Hyde Park, for extension of a nonconforming use to erect a one story addition to funeral home-one family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Porch-ramp addition has support of abutters. No adverse impact.



Z-5456
1161 HYDE PARK AVE.
(H.P.)

Board of Appeal Referrals 12/17/81

Hearing: 1/12/82 Z-5457
Rosa M. Lopez
21 Cushing Avenue, Dorchester near Upham Avenue

2½ story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from four apartments to four apartments and social club.

Violation(s):

Section

8-7. Social club is conditional in an R-.8 district.

15-1. Floor area ratio is excessive.

Facility would be located in basement of dwelling. Proposal includes sale of beer and wine to members and guests. Site is opposite Cushing Manor Rest Home, St. Mary's Episcopal Church and in close proximity to St. Margaret's Hospital on Cushing Avenue. Use, inimical to a residential structure, will have a serious impact on the residential institutional neighborhood. Neighbors, abutters and Jones Hill Association are vehemently opposed. Recommend denial.

VOTED: In reference to petition Z-5457, brought by Rosa M. Lopez, 21 Cushing Avenue, Dorchester, for a conditional use and variance for change of occupancy from four apartments to four apartments and social club in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Facility would be located in basement of dwelling. Proposal includes sale of beer and wine to members and guests. Site is opposite Cushing Manor Rest Home, St. Mary's Episcopal Church and in close proximity to St. Margaret's Hospital on Cushing Ave. Use, inimical to a residential structure, will have a serious impact on the residential-institutional neighborhood. Neighbors, abutters and Jones Hill Association are vehemently opposed.



2-5457
21 CUSHING AVE
(DOR.)

Board of Appeal Referrals 12/17/81

Hearing: 1/5/82 Z-5459
Eugene F. Looney & James P. Ryan
110 Empire Street, Allston near North Harvard Street

Storage Lot

District(s): apartment _____ general business _____ industrial _____
residential R-.5 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect one story structure for storage of automobiles.

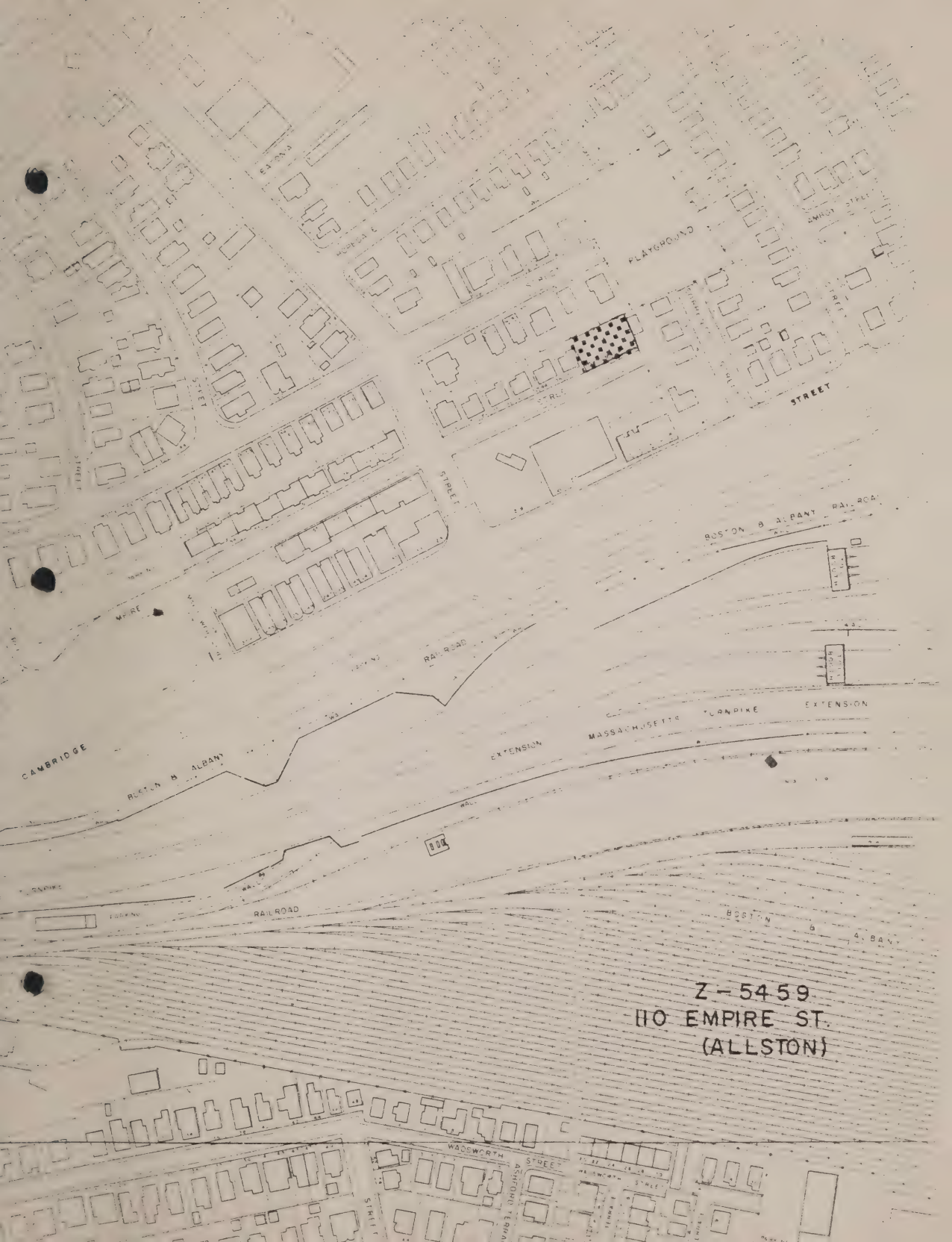
Violation(s):

Section

- 8-7. Ancillary storage of motor vehicles is forbidden in an R-.5 district
- 18-1. Floor area ratio is excessive.
- 18-1. Front yard is insufficient.
- 19-1. Side yard is insufficient.
- 20-1. Rear yard is insufficient.

Lot is presently used for storage of used cars. Proposed structure will accommodate 30-40 new cars in conjunction with adjacent dealership. No reaction from abutters.
Recommend approval with proviso.

VOTED: In reference to petition Z-5459, brought by Eugene F. Looney & James P. Ryan, 110 Empire Street, Allston, for five variances to erect a one story structure for storage of automobiles in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review. Lot is presently used for storage of used cars. Proposed structure will accommodate 30-40 new cars in conjunction with adjacent dealership.



Z-5459
110 EMPIRE ST.
(ALLSTON)

Board of Appeal Referrals 12/17/81

Hearing: 1/5/82 Z-5363-5364
Irma Vozzella
22-22(r) Cypress Street, West Roxbury near Spring Street

2½ & 1½ story structures

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 _____ manufacturing _____

Purpose: subdivide; change occupancy from barn to one family dwelling.

Violation(s):

Section

14-4. Street frontage is insufficient.

19-1. Side yard is insufficient.

No adverse impact on nor opposition from neighborhood. Recommend approval with proviso.

VOTED: In reference to petitions Z-5363-5364, brought by Irma Vozzella, 22-22(r) Cypress Street, West Roxbury, for three variances to subdivide and change occupancy from barn to one family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.

Z-5463-64
22-22(R) CYPRESS ST.
(W.R.)



Board of Appeal Referrals 12/17/81

Hearing: 1/5/82 Z-5478-5480
Joseph A. Pace
80,84-90 Salem Street & 8 Wiget Street, Boston

Two four story structures & one five story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-2 _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize occupancy for five apartments/and store, ten apartments and five apartments respectively; erect two story and three story additions

Violation(s):
Section

- 8-7. Any dwelling converted for more families which does not meet the requirements of open space and floor area ratio is forbidden in an L-2 district.
- 15-1. Floor area ratio is excessive.
- 17-1. Open space is insufficient.
- 20-1. Rear yard is insufficient.

No record of legal occupancies. Additions have been erected. Residential-retail uses are consistent with street and neighborhood. Recommend approval with provisos.

VOTED: In reference to petitions Z-5478-5480, brought by Joseph A. Pace, 80, 84-90 Salem Street & 8 Wiget Street, Boston, for three forbidden uses and seven variances to legalize occupancy for five apartments and store, ten apartments, five apartments respectively and erect two additions in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that street level commercial space be retained at 80,84-90 Salem Street; that off street parking be provided convenient to site; that exterior facade and exterior windows at 80 Salem Street be retained; that plans be submitted to the Authority for design review.



7-5478-80
80-90 SALEM ST.
8 WIGET ST.
(B.P.)

Board of Appeal Referrals 12/17/81

Hearing: 1/5/82

Z-5489

440 Commercial Street Trust

440-448 Commercial Street, Boston at Greenough Lane

Four story structure

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy to offices

Violation(s):
Section

8-7. Professional offices building is conditional in an H-3 district.

23-4. Off street parking in a restricted parking district.

Petitioner initially filed and received permit for sixteen apartments and three story addition.

Proposed office conversion information is insufficient to assess impact on neighborhood. Recommend denial without prejudice.

VOTED: In reference to petition Z-5489, brought by 440 Commercial Street Trust, 440-448 Commercial Street, Boston, for two conditional uses for change of occupancy to offices in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial without prejudice. Petitioner initially filed and received permit for sixteen apartments and three story addition. Proposed office conversion information is insufficient to assess impact on neighborhood. Plans indicating number and types of offices, floor layouts and parking circulation must be submitted.



